

REMARKS

This Amendment is in response to the Office Action mailed June 4, 2003. Claims 1-26 are pending in the application. Claims 12-18 and 20 are allowed. Claims 1-6, 8-9, 19 and 21-25 are rejected and claims 7, 10, 11 and 26 are objected to as being dependent upon a rejected base claim but allowable if rewritten in independent form.

Response to Objection under 37 C.F.R. §1.75a

Claims 1-11 are objected to based upon the newly amended language "actuatable transducer". Claims 1-11 have been amended to delete the "actuatable transducer" and accordingly withdrawal of the rejection is respectfully requested.

Response to rejection under 35 C.F.R. §102

Claims 1-2, 8, 23 and 25 were rejected under 35 U.S.C. 102(e) as being anticipated by Evans, U.S. Patent No. 5,862,015. Claim 1 has been amended to recite subject matter of claim 12 which was indicated to be allowable. Accordingly, allowance of amended claim 1 and dependent claims 2 and 8 are respectfully requested.

Claim 23 as amended recites *inter alia* an actuator coupled to a movable suspension assembly and a detector coupled to the actuator and configured to receive a signal from the actuator proportional to vibration of the movable suspension assembly. Claim 23 was rejected on the basis that Evans discloses a movable suspension assembly, an actuator coupled to the movable suspension assembly and a detector as claimed without regard to the limitation that the detector is coupled to the actuator and as amended is configured to receive a signal from the actuator proportional to vibration which is not disclosed by Evans as claimed. Claim 25 further recites a controller coupled to the actuator and configured to transmit a signal to the actuator to move the movable suspension assembly which as claimed

is not disclosed by Evans. Reconsideration and allowance of claim 23 and dependent claim 25 are respectfully requested.

Claims 19, 21 and 22 were rejected under 35 U.S.C. 102(b) as being anticipated by Kasiraj. Claims 19, 21 and 22 have been amended and as amended recite subject matter of claim 12 which was indicated to be allowable. Reconsideration and allowance of amended claims 19, 21 and 22 are respectfully requested.

Response to rejection under 35 C.F.R. §103

Claims 3-4 were rejected under 35 U.S.C. § 103 as being unpatentable over Evans in view of Kasiraj, U.S. Patent No. 5,777,815. Claims 3-4 are dependent upon amended claim 1 and Applicants respectfully request reconsideration and allowance of claims 3-4 based upon its dependency upon amended claim 1.

Claims 5-6 and 24 were rejected under 35 U.S.C. § 103 as being unpatentable over Evans in view of Novotny, U.S. Patent No. 6,362,542. Claims 5-6 are dependent upon amended claim 1 and claim 24 is dependent upon amended claim 23. Applicants respectfully request allowance of claims 5-6 based upon their dependency upon claim 1. Claim 24 is patentable over the combination of Evans and Novotny *inter alia* based upon its dependency upon claim 23.

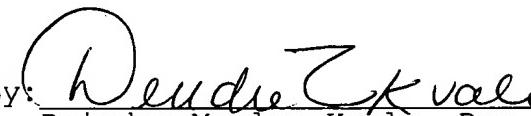
Claim 9 was rejected under 35 U.S.C. § 103 as being unpatentable over Evans in view of Perry, U.S. Patent No. 3,688,287. Claim 9 is dependent upon amend claim 1 and reconsideration and allowance of claim 9 based upon its dependency upon amended claim 1 is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:


Deirdre Megley Kvale, Reg. No. 35,612
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

DMK:tas